



General Assembly

January Session, 2007

**Committee Bill No. 823**

LCO No. 4670

\*04670SB00823JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING THE RECOVERY OF MUNICIPAL EXPENSES  
INCURRED IN THE REMOVAL, STORAGE AND SALE OF UNCLAIMED  
POSSESSIONS AND PERSONAL EFFECTS OF EVICTED TENANTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2007*) Any municipality may  
2       bring an action in the superior court for the judicial district in which  
3       such municipality is located to recover any unpaid expense incurred  
4       by such municipality in removing, storing or selling at public auction  
5       the possessions and personal effects of an evicted tenant or other  
6       occupant of residential property pursuant to subsection (c) of section  
7       47a-42 of the general statutes, as amended by this act. The court may  
8       award costs and reasonable attorney's fees to a municipality that  
9       prevails in such action. No action shall be brought under this section  
10      but within two years from the date of the eviction under section 47a-42  
11      of the general statutes, as amended by this act. For the purposes of this  
12      section, "municipality" means any town, city, borough, consolidated  
13      town and city or consolidated town and borough.

14      Sec. 2. Subsection (c) of section 47a-42 of the general statutes is  
15      repealed and the following is substituted in lieu thereof (*Effective*

16 *October 1, 2007*):

17 (c) Whenever the possessions and personal effects of a defendant  
 18 are set out on the sidewalk, street or highway, and are not immediately  
 19 removed by the defendant, the chief executive officer of the town shall  
 20 remove and store the same. [Such removal and storage shall be at the  
 21 expense of the defendant.] If such possessions and effects are not  
 22 called for by the defendant and the expense of such removal and  
 23 storage is not paid to the chief executive officer within fifteen days  
 24 after such eviction, the chief executive officer shall sell the same at  
 25 public auction, after using reasonable efforts to locate and notify the  
 26 defendant of such sale and after posting notice of such sale for one  
 27 week on the public signpost nearest to the place where the eviction  
 28 was made, if any, or at some exterior place near the office of the town  
 29 clerk. The chief executive officer shall deliver to the defendant the net  
 30 proceeds of such sale, if any, after deducting [a reasonable charge for]  
 31 any unpaid expense incurred in the removal, [and] storage and sale of  
 32 such possessions and effects. If the defendant does not demand the net  
 33 proceeds within thirty days after such sale, the chief executive officer  
 34 shall turn over the net proceeds of the sale to the town treasury. The  
 35 plaintiff and the defendant shall be jointly and severally liable for the  
 36 expense of the removal, storage and sale of such possessions and  
 37 effects under this subsection. Such expense, if not paid, may be  
 38 recovered in an action brought under section 1 of this act.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	47a-42(c)

***Statement of Purpose:***

To authorize any municipality to bring a civil action against an evicted tenant and the landlord to recover any unpaid expense incurred by the municipality in the removal, storage and sale of unclaimed possessions and personal effects of the evicted tenant.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. FINCH, 22nd Dist.

S.B. 823